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TAGS: PHUM PREL KIRF CH

SUBJECT: MFA ON CHEN GUANGCHENG, REBIYA KADEER'S ADULT SONS, YANG JIANLI AND HOUSE CHURCHES

REF: A) BEIJING 15316 B) STATE 119437

CLASSIFIED BY: POLITICAL MINISTER COUNSELOR DANIEL SHIELDS. REASONS 1.4 (B/D).

¶1. (C) SUMMARY: IN A MEETING WITH MFA INTERNATIONAL ORGANIZATIONS DEPARTMENT DEPUTY DIRECTOR GENERAL SHEN YONGXIANG, POLITICAL MINISTER COUNSELOR RAISED USG CONCERN OVER:

- THE PROSECUTION OF BLIND LEGAL ACTIVIST CHEN GUANGCHENG,
- THE REPORTEDLY UPCOMING TAX EVASION TRIAL OF REBIYA KADEER'S ADULT SONS AND THE EMBASSY'S DESIRE TO OBSERVE THE PROCEEDINGS AND
- THE LONG-PENDING UNITED STATES' REQUEST THAT CHINA RELEASE AMERICAN LEGAL PERMANENT RESIDENT YANG JIANLI.

DDG SHEN SAID U.S. REPRESENTATIONS REGARDING THE CASE OF CHEN GUANGCHENG AND THE CASE OF THE SONS OF REBIYA KADEER CONSTITUTE INTERFERENCE IN CHINA'S INTERNAL AND JUDICIAL AFFAIRS AND ARE INAPPROPRIATE. POLMINCOUNS REJECTED THE IDEA THAT THERE IS ANYTHING INAPPROPRIATE ABOUT RAISING THE FULL RANGE OF HUMAN RIGHTS CONCERNS, INCLUDING INDIVIDUAL CASES, THROUGH DIPLOMATIC CHANNELS. END SUMMARY.

¶2. (C) FOLLOWING UP ON REF A EXCHANGES, POLMINCOUNS USED A JULY 28 MEETING WITH DDG SHEN TO REINFORCE THE USG MESSAGE (REF B) THAT CHINA SHOULD DROP CHARGES AGAINST LEGAL ACTIVIST CHEN GUANGCHENG AND RELEASE HIM. DDG SHEN SAID HE WAS AWARE OF THE U.S. REPRESENTATIONS, BUT CHINA IS A COUNTRY RULED BY LAW. DDG SHEN SAID U.S. REPRESENTATIONS REGARDING THE CASE OF CHEN GUANGCHENG AND THE CASE OF THE SONS OF REBIYA KADEER CONSTITUTE INTERFERENCE IN CHINA'S INTERNAL AND JUDICIAL AFFAIRS AND ARE INAPPROPRIATE. POLMINCOUNS REJECTED THE IDEA THAT THERE IS ANYTHING INAPPROPRIATE ABOUT RAISING THE FULL RANGE OF HUMAN RIGHTS CONCERNS, INCLUDING INDIVIDUAL CASES, THROUGH DIPLOMATIC CHANNELS.

U.S. OBSERVER TO KADEER SONS' TRIAL?

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¶3. (C) REGARDING THE REPORTEDLY UPCOMING TRIAL OF REBIYA KADEER'S ADULT SONS, POLMINCOUNS STRESSED THAT THE TAX EVASION CHARGES AGAINST KADEER'S SONS APPEAR TO BE RETALIATION FOR THEIR MOTHER'S ACTIVISM IN THE UNITED STATES. HE NOTED THAT THE EMBASSY HAS BEEN IN TOUCH WITH THE SUPREME PEOPLE'S COURT REGARDING THE EMBASSY'S DESIRE TO SEND AN OBSERVER TO THE TRIAL AND URGED THAT THE MFA SUPPORT THIS. DDG SHEN AGREED TO DISCUSS THE MATTER WITH THE SUPREME PEOPLE'S COURT,

BUT EXPRESSED HIS PERSONAL VIEW THAT THE COURT WOULD DENY THE EMBASSY PERMISSION TO SEND AN OBSERVER. PUBLIC TRIALS ARE NOT "SYSTEMATICALLY" OPEN TO FOREIGNERS IN CHINA, DDG SHEN SAID. THERE IS NO BASIS IN INTERNATIONAL LAW FOR FOREIGNERS TO ATTEND TRIALS IN CHINA, HE ADDED. POLMINCOUNS COUNTERED THAT THERE IS NOTHING IN INTERNATIONAL LAW THAT PROHIBITS FOREIGNERS FROM ATTENDING TRIALS IN CHINA AND THAT CHINESE LAW PROVIDES FOR PUBLIC TRIALS. THE UNITED STATES AND CHINA ARE BOTH INTERESTED IN PROMOTING THE RULE OF LAW IN CHINA. CHINA SHOULD ALLOW A U.S. EMBASSY OBSERVER AT THE TRIAL IN THE INTEREST OF TRANSPARENCY. (NOTE: THE SUPREME PEOPLE'S COURT DENIED TO THE EMBASSY ON JULY 27 REPORTS THAT THE TRIAL WOULD TAKE PLACE ON JULY 28. END NOTE.)

14. (C) POLMINCOUNS REAFFIRMED LONGSTANDING USG HUMANITARIAN CONCERNS ABOUT AMERICAN LEGAL PERMANENT RESIDENT DR. YANG JIANLI AND URGED THAT YANG BE RELEASED IMMEDIATELY. DDG SHEN REPEATED THE CHINESE POSITION OUTLINED REF A THAT CHINA HAD CONSIDERED RELEASING DR. YANG EARLY, BUT "UNFORTUNATE DEVELOPMENTS" HAD PREVENTED THIS. (NOTE: REF A MADE EXPLICIT THE CHINESE VIEW THAT THESE DEVELOPMENTS INCLUDED THE VISIT TO THE UNITED STATES OF THE DALAI LAMA. END NOTE.) POLMINCOUNS NOTED THAT DR. YANG HAS ONLY EIGHT MORE MONTHS REMAINING ON HIS SENTENCE AND URGED CHINA TO NOT LET POLITICAL ISSUES STAND IN THE WAY OF HIS PROMPT RETURN TO HIS FAMILY IN THE UNITED STATES.

HOUSE CHURCHES AND REGISTRATION

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15. (C) THE UNITED STATES CONTINUES TO PAY CLOSE

ATTENTION TO, AND TO BE CONCERNED ABOUT, THE HARASSMENT OF PROTESTANT HOUSE CHURCHES, POLMINCOUNS SAID. HE URGED CHINA TO PERMIT SUCH GROUPS TO OPERATE WITHOUT AFFILIATING WITH THE OFFICIAL THREE SELF PROTESTANT MOVEMENT. THE GOVERNMENT SHOULD NOT REQUIRE HOUSE CHURCHES TO PROVIDE INFORMATION ABOUT CHURCH MEMBERS AND BAPTISMS TO THE GOVERNMENT.

16. (C) DDG SHEN DENIED THE EXISTENCE OF HOUSE CHURCHES IN CHINA. CHINA PERMITS FOLLOWERS OF SOME RELIGIOUS TRADITIONS TO MEET WITH FRIENDS AND FAMILY IN THEIR HOMES, BUT THESE SHOULD NOT BECOME FORMAL PLACES OF WORSHIP, OTHERWISE THEY MUST REGISTER, HE SAID. POLMINCOUNS PUSHED BACK, NOTING THAT CHINESE DO MEET IN HOUSE CHURCHES, REGARDLESS OF WHETHER THE GOVERNMENT RECOGNIZES THEM OR WHAT IT CALLS THEM. HE SAID THAT INTERNATIONAL STANDARDS OF FREEDOM OF BELIEF AND CONSCIENCE REQUIRE THAT SUCH WORSHIPPERS BE ALLOWED TO MEET FOR PEACEFUL RELIGIOUS PURPOSES WITHOUT GOVERNMENT HARASSMENT.

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